

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

INNOVATION VENTURES, LLC and  
LIVING ESSENTIALS, LLC,

Plaintiffs,

v.

ULTIMATE ONE DISTRIBUTING CORP,  
ET AL.,

Defendants.

Case No. 1:12-cv-05354 (KAM-RLM)

**DECLARATION OF DAVID M.  
GREELEY IN SUPPORT OF REPLY  
BRIEF TO MOTION TO DISMISS FOR  
LACK OF PERSONAL JURISDICTION  
OR ALTERNATIVELY FOR IMPROPER  
VENUE**

I, David M. Greeley, declare:

1. I am an adult resident of San Diego, California. I have personal knowledge of the matters stated below, and if called upon to testify could testify competently thereto.

2. I am a member of the firm Seltzer Caplan McMahon Vitek in San Diego, California. I am licensed to practice law in California and am admitted *pro hac vice* for this action to practice in the Federal District Court for the Eastern District of New York. I represent Joseph and Adriana Shayota and Tradeway Int'l Inc. doing business as Baja Exporting (collectively, the 'Baja Defendants') in this action.

3. A true and correct copy of pages 99, 136 and 145 of the deposition of Scott Tilbrook taken on April 25, 2013 are attached hereto as Exhibit "A."

4. A true and correct copy of pages 1 and 4 of Plaintiffs' Rule 26(a)(1) Initial Disclosures dated February 28, 2013 are attached hereto as Exhibit "B."

I certify and declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 12th day of September, 2013 in San Diego, California.

/s/ David Greeley